



STATE OF NEW YORK  
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LITIGATION BUREAU

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May 16, 2019

**By ECF**

The Honorable Denise Cote  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Picard v. Clark, et al.*, 19-cv-3059 (SDNY) (DLC)

Dear Judge Cote:

This Office represents Defendant Michael Magliano, in his official capacity as Chief of Public Safety for the Unified Court System (the "State Defendant"), in the above-referenced matter.

I write to join in the request of counsel for Defendant Darcel D. Clark, in her official capacity as District Attorney for Bronx County, to extend the deadline for the State Defendant to respond to the complaint, and to address his proposed motion to dismiss, and set a briefing schedule, at the conference currently scheduled for June 28, 2019.<sup>1</sup> *See* ECF No. 13. Similar to Defendant Clark, the State Defendant intends to move to dismiss the complaint, and respectfully requests that discovery be stayed pending resolution of the anticipated motion to dismiss.

We respectfully submit this request in order to ensure that we have sufficient time to evaluate the allegations in the complaint, which involve complex constitutional issues, research the relevant case law, and draft motion papers. This is the State Defendant's first request for an extension of time to respond to the complaint. Counsel for Plaintiff and Defendant Clark consent to this request.

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<sup>1</sup> The State Defendant's response to the complaint is currently due on May 22, 2019.

Thank you for your time and attention to this matter.

Respectfully,

/s/ Alissa S. Wright  
Alissa S. Wright  
Assistant Attorney General